



1502 #5
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

DAVID J. BOVA

Serial No. 08/368,378

Filed January 14, 1995

For **NICOTINIC ACID
COMPOSITIONS FOR TREATING
HYPERLIPIDEMIA AND RELATED
METHODS THEREFOR**

) Group Art Unit ~~1205~~
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) J. Venkat, Examiner
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CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Box NON-FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 23rd day of August, 1995

Norma J. Nazarewicz, Sec'y to Douglas J. Hura

TRANSMITTAL SHEET

Enclosed are the following documents:

Response and Amendment A with attached Certificate of Mailing

Declaration Under 37 CFR § 1.131 of Prior Invention in the United States to Overcome Cited Patent with attached Certificate of Mailing

Exhibit A

Return Receipt Postcard

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

Respectfully Submitted,

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August 23, 1995

English Language Declaration

application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/124,392</u>	<u>September 20, 1993</u>	<u>Pending</u>
Application Ser. No.	Filing Date	Status

Application Ser. No.	Filing Date	Status
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Jack L. Renner (Reg. No. 20,116); ¹⁰Reese Taylor (Reg. No. 22,325); Phillip L. Kenner (Reg. No. 22,353); Edward G. Greive (Reg. No. 24,726); Donald J. Bobak (Reg. No. 27,182); Ray L. Weber (Reg. No. 26,519); Joseph G. Curatolo (Reg. No. 28,837); Douglas J. Hura (Reg. No. 33,249); Rodney L. Skoglund (Reg. No. 36,010); and Andrew B. Morton (Reg. No. 37,400).

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